

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**IN RE: LITHIUM ION BATTERIES  
ANTITRUST LITIGATION**

**Case No.: 13-MD-2420 YGR**

**This Order Relates to:**

**All Indirect Purchaser and Direct  
Purchaser Actions**

**ORDER GRANTING DEFENDANTS'  
ADMINISTRATIVE MOTION TO ADJOURN AND  
CONTINUING STATUS CONFERENCE TO  
FEBRUARY 4, 2014; REQUIRING PARTIES TO  
SUBMIT JOINT PROPOSAL AFTER MEETING  
AND CONFERRING; REQUIRING PLAINTIFFS  
TO SUBMIT NOTICE OF ATTORNEY FEES**

On December 6, 2013, at a hearing on seven motions to dismiss the Indirect Purchaser Plaintiffs' and Direct Purchaser Plaintiffs' consolidated amended complaints,<sup>1</sup> the Court set a status conference in the above-styled matter for January 24, 2014.

On January 16, 2014, Defendants filed an administrative motion to adjourn the January 24, 2014 status conference. (Dkt. No. 352.) On that date, the Court had yet to issue its Order on the pending motions to dismiss ("MTD Order"), which issued in conjunction with this Order. Defendants' administrative motion suggests that a status conference would better use the Court's and the parties' time if the parties came to the conference armed with the Court's ruling on the motions to dismiss. Plaintiffs disagree. (Dkt. No. 353.) They contend that the January 24 conference should proceed on the scheduled date so that the Court can provide guidance on at least three issues which Plaintiffs contend are now ripe: (1) the deadline for the Panasonic, Sanyo, and Sony Defendants to complete document production ordered at the December 6, 2013 hearing; (2) the deadline for completion of initial disclosures and a formal Rule 26(f) conference; and (3) the priority of near-term discovery efforts, for example, transactional data.

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<sup>1</sup> The Court has issued an Order resolving those motions concurrently with this Order.

Defendants' argument is mooted to some extent by the Court's having issued the MTD Order today. Nevertheless, the Court determines that, in light of its trial schedule<sup>2</sup> and the recency of the MTD Order, a short continuance of the January 24, 2014 status conference is warranted. Accordingly, the Court **GRANTS** Defendants' administrative motion to adjourn the January 24, 2014 conference and **CONTINUES** that conference to the Court's 2:00 p.m. PST Calendar on **Friday, February 4, 2014**, in Courtroom 5 of the United States Courthouse located at 1301 Clay Street in Oakland, California.

The Court **ORDERS** the parties to file, no later than **January 31, 2014**, a Joint Statement setting forth (1) deadlines for the satisfaction of current document production obligations by the Panasonic, Sanyo, and Sony Defendants, (2) a proposed briefing and hearing schedule for assumed future amended complaints, plus assumed further motions to dismiss, including issues the Court previously reserved for future briefing (Dkt. No. 276), and (3) completion of initial disclosures and a formal Rule 26(f) conference. If the parties fail to agree on a single proposed schedule, they may submit competing proposals in the form of a single chart displaying the parties' positions side by side.

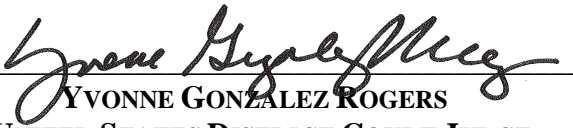
The Court **ORDERS** the parties to meet and confer prior to submitting their Joint Statement.

Finally, the Court **ORDERS** Plaintiffs to provide the Court with notice of the status of attorney fees incurred, using the form provided to Judge Illston in *In re TFT-LCD (Flat Panel) Antitrust Litigation*, Case No. 07-md-1827. Plaintiffs shall provide the first such update no later than January 31, 2014. Plaintiffs shall provide updated information in the same form every three months thereafter.

This Order terminates Docket No. 352.

**IT IS SO ORDERED.**

Dated: January 21, 2014

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE

<sup>2</sup> On January 21, 2014, the Court commenced a multi-week criminal trial.